

**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
THURSDAY, MARCH 16, 2006
DE CHAMPLAIN CONFERENCE ROOM, AUGUSTA
RATIFIED BY THE MAINE EMS BOARD APRIL 5, 2006
MEETING MINUTES**

Present: Steve Leach, Rick Doughty, Carol Pillsbury, Paul Knowlton
Staff: Drexell White, Dawn Kinney
AAG: Laura Yustak Smith

1. Call To Order: The meeting was called to order at 9:30 a.m.

A. Additions/Deletions to the Agenda

1. Case #06-09

2. James Shutts

2. Investigations

The committee entered executive session for the purpose of review and discussion of cases 05-05, 05-01, 05-06, 06-02, 06-08, 06-01 and 06-09.

***Motion:** To enter executive session pursuant to 32 M.R.S.A. §90.A.3, §92.3 and 1 M.R.S.A. §405(6)(F) for the purpose of conducting a review of cases 05-05, 05-01, 05-06, 06-02, 06-08, 06-01 and 06-09 (Doughty; Knowlton - motion carries)*

The committee entered executive session at 9:31 a.m. and exited at 11:31 a.m.

A. Case 05- 05 – Review for Action

Following executive session, the committee discussed options for disposition of case 05-05

***Motion:** That the subject of case # 05-05 violated Maine EMS Rules (dated July 1, 2003) Chapter 11 § 1.14 – Violation of any standard established in the profession; that the violation is based upon Licensee's conduct on or about August 27, 2005 that led to Licensee being charged with Terrorizing, Class D in violation of 17-A M.R.S.A. § 210(1)(A); that aggravating circumstances do not exist in the case; that mitigating circumstances exist in that Licensee disclosed pending charges, cooperated with Maine EMS and has no other history of criminal convictions; and that the committee proposes to resolve the investigation by issuing a Letter of Guidance in lieu of disciplinary action to include language that reinforces licensee's responsibility to behave in a professional manner, said Letter of Guidance to remain in Licensee's file for a period of three years (Doughty; Knowlton – motion carries).*

B. Case 05- 01 – Review for Action

Following executive session, the committee discussed options for disposition of case 05-01.

***Motion:** That the Committee finds insufficient evidence to warrant further action and therefore directs that case #05-01 be dismissed (Doughty; Knowlton – motion carries).*

C. Case 05- 06 – Review for Action

Following executive session, the committee directed staff continue its investigation of case 05-06.

D. Case 06-02 – Licensee Response

Following executive session, the committee directed staff to schedule an informal conference concerning case 06-02.

E. Case 06-08 – Review for Action

Following executive session, the committee discussed options for disposition of case 06-08.

***Motion:** That the subject of case # 06-08 violated Maine EMS Rules (dated July 1, 2003) Chapter 11 § 1.29 Willfully making a false statement in application for a license or renewal of a license, or in*

any activity or documents intended to be used to satisfy a requirement for licensure; that the violation is based upon Licensee's failure to disclose a October 2, 1993 conviction for Riot, Class D in violation of 17-A M.R.S.A. §503 on his March 4, 2003 application for First Responder licensure and on his February 5, 2006 renewal application, and failure to report a April 27, 2001 conviction for Operating Under the Influence, Class D, in violation of 29-A M.R.S.A. §2411(1) on his March 4, 2003 application; that aggravating circumstances exist in that Licensee failed to disclose criminal convictions on two separate licensing occasions; that mitigating circumstances exist in that Licensee provided letters of reference from fire, EMS and police services in his home area, that Licensee has no other known convictions and that the last conviction occurred in 2001; and that the committee proposes to resolve the investigation by fining Licensee \$100 per violation for a total of \$300.00 and issuing the Licensee a Letter of Warning (Doughty; Knowlton – motion carries).

F. Case 06-01 – Review for Action

Following executive session, the committee directed staff to schedule an informal conference concerning case 06-01, redo the SBI and request docket records.

G. Case 06-09 – Review for Action

Following executive session, the committee directed staff to initiate an investigation and schedule an informal conference.

3. Applications

A. Jeffrey Newell

Following consideration of Jeffrey Newell's license application package and history of criminal convictions, the committee directed that he be scheduled for an informal review

B. Paul Bean Jr

Following consideration of Paul Bean's license application package and history of criminal convictions, the committee directed that he be scheduled for an informal review.

C. Scott Newton

Following consideration of Scott Newton's license application package and history of criminal conviction, the committee requested additional information concerning Licensee's criminal convictions and directed that he be scheduled for an informal review

D. Sonny Blankenship

Following consideration of Sonny Blankenship's license application package and his alleged failure to list criminal convictions on his September 28, 2005 application, the committee directed that he be scheduled for an informal review.

E. Anthony Crocock – Not Presented

F. Chris Everett

The committee reviewed information that licensee Chris Everett, Maine EMS license # 22576, practiced EMS patient care after the September 30, 2005 expiration of his license. Information provided to the committee indicated that Mr. Everett completed all refresher training required for license renewal prior to the expiration of his license and that the Milford Fire Department, Maine EMS nontransporting license # 934 has established a plan to prevent recurrence of practice without a license by one of its members.

Motion: That the committee finds that Licensee Chris Everett, Maine EMS license # 22576 violated Maine EMS Rules (dated July 1, 2003) Chapter 11.1.30 - Providing treatment at a level for which a person is not licensed or for which a service is not licensed or permitted; that the violation is based upon his responding and practicing EMS patient care after the September 30, 2005 expiration of his license; that no aggravating circumstances exist; that mitigating circumstances exist in that Licensee had all training necessary to renew his license prior to the expiration date, there is no evidence of patient harm as a result of Licensee's unlicensed practice, Licensee has no previous history of unlicensed practice or other disciplinary action and Licensee cooperated with Maine EMS; that in consideration of the mitigating circumstances, Licensee be issued a Letter of Guidance in lieu of disciplinary action; and that the Letter of Guidance remain in Licensee's file for a period of three years (Leach; Pillsbury – motion carries)

Motion: That the committee finds that Milford Fire Department non-transporting EMS service, Maine EMS license # 934 violated Maine EMS Rules (dated July 1, 2003) Chapter 11.1.34 - Aiding the practice of emergency medical treatment by a person not duly licensed under 32 M.R.S.A., Chapter 2-B; that the violation is based upon the service allowing practice of EMS patient care by Licensee Chris Everett after the September 30, 2005 expiration of his license; that no aggravating circumstances exist; that mitigating circumstances exist in that there is no evidence of patient harm as a result of the unlicensed practice, Licensee has no previous history of unlicensed practice or other disciplinary action, Licensee cooperated with Maine EMS and Licensee has provided a plan to Maine EMS to prevent a recurrence of unlicensed practice; that in consideration of the mitigating circumstances, Licensee be issued a Letter of Guidance in lieu of disciplinary action; and that the Letter of Guidance remain in Licensee's file for a period of three years (Leach; Pillsbury – motion carries)

G. James Shutts

Following consideration of James Schutt's license application package and history of criminal convictions, the committee and directed that he be scheduled for an informal review.

3. Next Meeting

The next meeting is scheduled for Thursday, April 20, 2006 at 9:30 a.m.

4. Adjourn – The meeting was adjourned at 12:10 p.m.

Respectfully submitted,

Drexell White